

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PATRICIA WILLIAMS,	:	CIVIL ACTION
	:	NO. 07-1832
Plaintiff,	:	
	:	
v.	:	
	:	
	:	
MICHAEL ASTRUE,	:	
Commissioner of the	:	
Social Security	:	
Administration,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this **12th** day of **November 2008**, upon consideration of the Report and Recommendation filed by Magistrate Judge Lynne A. Sitariski (doc. no. 17),¹ Plaintiff's requests for review (doc. no. 8), Defendant's response to Plaintiff's request (doc. no. 11), and Plaintiff's sur reply thereto (doc. no. 13), it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Plaintiff's request for review is **GRANTED** in part and **DENIED** in part. It is **GRANTED** to the extent that it alleges: (a) ALJ erred in its determination that Plaintiff can perform past relevant work; and (b) ALJ erred in her failure to recognize the differences

¹ The Commissioner did not file Objections to the Report and Recommendation.

between Plaintiff's description of Plaintiff's past work as an automotive service advisor and the DOT description of a similar position. It is **DENIED** on all other grounds.

3. The case is **REMANDED** to the Commissioner in accordance with the fourth sentence of 42 U.S.C. §405(g) for further proceedings consistent with this order.²

AND IT IS SO ORDERED.

S/Eduardo C. Robreno
EDUARDO C. ROBRENO, J.

² Specifically, upon remand, the ALJ should: (a) explain her conclusion that the Plaintiff is capable of performing past relevant work; (b) address the discrepancies between the VE and DOT descriptions for the automobile service advisor and retail manager positions.